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Docket No.: 21059/0206916-US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Rajiv Indravadan Modi et al.

Application No.: 10/565,211

Confirmation No.: 9175

Filed: October 30, 2006

Art Unit: 1645

For: PROCESS FOR MANUFACTURING  
PHARMACEUTICAL COMPOSITION  
COMPRISES OF MYCOBACTERIUM W IN  
THE TREATMENT OF ASTHMA  
(OBSTRUCTIVE LUNG DISEASE)

Examiner: R. P. Swartz

**AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. 1.116**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated October 28, 2008, please consider the remarks which begin on page 2 of this paper.

It is believed that no fee is required for this response. However, should additional fees be necessary in connection with the filing of this response, or if a petition for extension of time is required for timely acceptance of the same, the Commissioner is hereby authorized and requested to charge Deposit Account No. 04-0100 for any such fees, and applicants hereby petition for any needed extension of time.